

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ORANGEBURG DIVISION

James M. Smith, II,

PLAINTIFF

v.

Major Bryant, Southern Health Partner, and  
Nurse Mrs Lopez,

DEFENDANTS

C/A No. 5:13-cv-01617-TLW

**Order**

Plaintiff James M. Smith II, proceeding *pro se* and *in forma pauperis*, filed this civil action pursuant to 28 U.S.C. § 1983. (Doc. #1.) The matter now comes before the Court for review of the Report and Recommendation (Report) filed on October 7, 2013 by Magistrate Judge Kaymani West, to whom this case was previously assigned. (Doc. #40.) In the Report, the Magistrate Judge recommends dismissing this action with prejudice for failure to prosecute. Objections to the Report were due October 24, 2013. Smith did not file any objections to the Report.

The Court is charged with conducting a *de novo* review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, the Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983).

The Court has carefully reviewed the Report. For the reasons stated by the Magistrate Judge, it is hereby **ORDERED** that the Report (Doc. #40) is **ACCEPTED** and Smith's Complaint (Doc. #1) is **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.**

*s/ Terry L. Wooten*  
Terry L. Wooten  
Chief United States District Judge

November 19, 2013  
Columbia, South Carolina